

## **WYCKOFF BOARD OF ADJUSTMENT OCTOBER 19, 2017 PUBLIC BUSINESS MEETING MINUTES**

Work Session: 7:30 p.m. Second Floor, Memorial Town Hall

Public Meeting: 8:00 p.m. – Court Room, Second Floor, Memorial Town Hall

The meeting commenced with the reading of the Open Public Meetings Statement by Erik Ruebenacker, Chairman:

"The October 19, 2017 Public Work Session of the Wyckoff Board of Adjustment is now in session. In accordance with the Open Public Meetings Act, notice of this meeting appears on our annual Schedule of Meetings. A copy of our Annual Schedule has been posted on the bulletin board of Memorial Town Hall; a copy has been filed with the Township Clerk, The Record, The Ridgewood News and the North Jersey Herald and News--all newspapers having general circulation throughout the Township of Wyckoff. At least 48 hours prior to this meeting, the agenda thereof was similarly posted, filed and mailed to said newspapers." Formal action may be taken.

**Board Member Attendance:** Erik Ruebenacker, Chairman; Carl Fry, Vice Chairman; Mark Borst; Susan Yudin; Ed Kalpagian; Brian Hubert; Rich DeLeo, Alt; Robert Ebel, Alt.

**Board Member(s) Absent:** Brian Tanis

**Staff Present:** David Becker, Board Attorney; Mark DiGennaro, Township Engineer; Susan McQuaid, Board Secretary.

The Board of Adjustment Meeting began with the Pledge of Allegiance.  
Roll call was taken.

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Erik Ruebenacker, Chairman read this statement into the record: *"All applicants are hereby reminded that your application, if approved, may be subject to the terms, conditions and payment of the Affordable Housing Development Fee requirements of the Township. Information can be obtained from the Code of the Township of Wyckoff, Chapter 113-8 on the Township's website, [www.wyckoff-nj.com](http://www.wyckoff-nj.com)"*

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Chair Ruebenacker stated that all phones, pagers and hand held electronic devices should be turned off or switched to silent mode in order to avoid interrupting the public session.

### **OLD BUSINESS**

#### **APPROVAL OF MINUTES**

September 14, 2017 work session/public business meeting  
The minutes were approved at the work session meeting.

### **RESOLUTION TO APPROVE VOUCHERS FOR PAYMENT**

**RESOLUTION #17-10-** Approval of vouchers from various escrow accounts.

Resolution #17-10 was approved at the work session meeting.

**RESOLUTION(S) TO BE MEMORIALIZED**

**VRTIS, ANGELA & MICHAEL** BLK 352 LOT 37.01 (RA-25); 268 Wyckoff Avenue. *(The applicant is seeking relief from the code to allow the encroachment of the accessory pool slide into the side yard setback).*

**LES, ALEXANDER & CHRISTINA** BLK 314 LOT 72 (RA-25); 540 Helena Avenue. *(The applicant proposes to demolish the existing home and construct a new home which will exceed the building height and trigger the enhanced side yard setback requirement).*

**SHUR REAL ESTATE** BLK 214 LOT 46 (RA-25); 205 Franklin Avenue. *(The applicant proposes to add a two story addition requiring variance relief for side yard setback).*

**TOOR, SADDAD & SHIRIN** BLK 204 LOT 24 (RA-25); 424 Hidden Valley Court. *(The applicant proposes to construct a one story addition to provide for a breakfast area off the kitchen which will encroach into the side yard setback of 21' where 25' is required due to the enhanced side yard setback requirement).*

**BACZYNSKI, MICHAEL & JANE** BLK 295 LOT 11 (R-15); 159 Packard Avenue. *(The applicant proposes to construct a rear yard deck which will exceed total accessory structure and total lot coverage).*

**SONG, KE** BLK 290 LOT 14 (RA-25); 335 Sunset Boulevard. *(The applicant proposes to demolish the existing home and construct a new home consistent with the bulk requirements).*  
The above referenced resolutions were memorialized at the work session meeting.

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**APPLICATION(S) – CARRIED**

**MOROZ, CEZARY/GAWLE, DANUTA** BLK 231 LOT 6 (RA-25); 516 Clinton Avenue. *(The applicant proposes to expand the footprint of the existing house and add a level to the second floor which will trigger the enhanced side yard setback and encroach into the side yard setbacks).*

This application has been carried to the November 16, 2017 public hearing meeting at the request of the applicant.

**APPLICATION(S) – NEW**

**FORMULA APEX, LLC/JONATHAN & JODI FADER** BLK 291 LOT 19 (RA-25); 330 Sunset Boulevard. *(The applicant proposes to add a level and construct a new front porch which will encroach into the side yard setbacks, front yard setback and exceed building lot coverage due to the enhanced side yard setback requirement).*

Board Member DeLeo recused himself from discussion and removed himself from the dais since his property is located within 200' of the subject property.

Bruce Whitaker, from the firm of McDonnell & Whitaker, stated he is the attorney representing the applicant. He said this application was originally filed by the owner Formula Apex and the application is being amended to the contract purchaser being the applicant and they are Jonathan & Jody Fader. He said the Fader's live in Wyckoff and are looking to relocate and review the design of the house with the architect. He said there will be additions to this single family home with an add a level and modification to an existing structure. The foundation and walls will remain. The property has 2 non-conformities which are the lot area and lot frontage. The lot width deficiency prompts the side yard setback variance. The other variance is for front yard setback to the open front porch. He added that due to this expansion the lot coverage is over by 15.73% where 15% is required. He asked that the following exhibits be marked for identification:

A-1 Survey

A-2 Architectural plans

A-3 Photographs of existing home (4)

A-4 Landscape plan

Jonathan Fader, contract purchaser of 330 Sunset Blvd, Wyckoff, NJ was sworn. He said he and his wife would like to design this new home to accommodate the needs of his family. He said the exterior of the home will consist of hardiplank with a stone veneer.

Frank Hall, the applicant's architect, 27 Chestnut Street, Ridgewood, NJ was sworn. He said he is a licensed architect in the State of New Jersey and has testified before this Board in the past. He said the existing home is a 1950's ranch style home. He proposes to add a level above the existing structure and expand the existing house to the rear of the house and behind the existing breezeway. He said the second floor addition is within the inside of the first floor footprint. The existing side yard setbacks will remain at 15.6' on the left and 10.6' at the right side of the house. The second floor side yard setback on the left will be 18.33' and 20.7' side yard setback at the second floor level. The front porch will be an 8' classic functional open front porch for furniture and seasonal decoration with 2 risers to access the porch. The rear of house will have a covered rear deck. The overall ridge height of the home will be 27.8' where 35' is maximum. He said that no trees are being sacrificed for the projects. The generator and air conditioning units have been moved from the rear left to the rear right of the house.

Chair Ruebenacker said there are no landscaping comments from the board. He appreciates the design and stepping in on the second floor. He asked if the second floor could be setback to the required 25' setback. Mr. Hall said the left side of the house is where the 2 bedrooms are located and there would be no functional space if the bedrooms were reduced any further. He added that the mass of the house and the gable roof would be effected if the setbacks were reduced. He said the house is 4,111 square feet which triggers the enhanced side yard setback. Township Engineer DiGennaro noted that the first floor office has a closet and could be considered a fifth bedroom. He said the septic system has been approved for a 4 bedroom septic. He asked that the closet be removed and the door made wider or removed to the office space. Chair Ruebenacker said he is struggling with the open porch. He said the applicant is creating a variance where none would be required if the front porch was reduced from 8' to 6' in width. Board Member Borst said the front porch is setback 38' from the property line where 40' is required. Vice Chair Fry said if the porch is reduced it will removed 2 variances; one for front yard setback and one for total lot coverage. Board Member Hubert noted basement activity. Mr. Hall said the new basement will be finished to include a gym area and future home theater. Township Engineer DiGennaro said he would like to see underground utilities if feasible. Chair Ruebenacker said underground utilities is encouraged. He summarized by saying the side yard setbacks will remain

unchanged, with the depth of the front porch being reduced from 8' to 6' the front yard setback variance will be removed and the maximum lot coverage will be reduced from 15.3% to below 15% and the landscape plan is acceptable. He asked that the architect update Sheet T-100 with air conditioning units and a generator be placed behind the garage and screened.

#### OPEN TO THE PUBLIC

Maura DeLeo, 331 Sunset Blvd, Wyckoff, NJ was sworn. She lives across the street from the applicant and welcomes Jonathan & Jodi Fader to the neighborhood. She added that the house design is beautiful.

Michael Ballan, 319 W. Stevens Avenue, Wyckoff, NJ was sworn. He welcomes the Fader's to the neighborhood and supports their application.

#### CLOSED TO THE PUBLIC

Board Member Borst made a motion to approve this application subject to the following conditions and the receipt of revised plans: the front porch will be decreased to 6' in width; the closet in the office will be removed and the AC units/generator will be located in the rear yard. Second, Board Member Kalpagian. Voting in favor: Mr. Ebel, Mr. Kalpagian, Mr. Hubert, Ms. Yudin, Mr. Borst, Mr. Fry and Chairman Ruebenacker.

**KANNING, MICHAEL/KUNDAKJI, TALINE** BLK 261 LOT 14 (R-15); 17 Colonial Drive. *(The applicant proposes to reconstruct the existing garage to accommodate 2 cars and add a level to the existing foundation which will exceed building lot coverage).*

Eric Kiellar, Blueline Architecture, 397 Franklin Avenue, Wyckoff, NJ, the applicant's architect, was sworn. Michael Kanning and Taline Kundakji, 17 Colonial Drive, Wyckoff, NJ were sworn. Ms. Kundakji said she and her husband grew up in the area and would like to design our perfect forever home. Mr. Kanning said he purchased the house from the Todd Estate and the house and property was in disrepair. The property was overgrown and he had a few diseased trees removed and some trees pruned. Eric Kiellar asked that the following exhibit be marked as identification:

A-1 application package

Mr. Kiellar said the existing lot area is 12,470 square feet where 15,000 feet is required and the lot width is deficient where 86' is provided and 100' is required. The existing left side yard setback is 10.4' and the right side yard setback is 11.5' where 15' are required. The proposed gross building area of 2,952 square feet triggers the enhanced side yard setback requirements which are 20'. Also the principal building lot coverage of 16.06% where 15% is the maximum but it is not over the combined 20%. The height of the structure will be 29.5' where 35' is the maximum. The air conditioning units will be placed in the rear yard. Chair Ruebenacker said he has no comments on the structure and the applicant has made a good effort to step in the second floor. Board Member Yudin asked how much of the existing house will be removed before construction begins. Mr. Kiellar said the roof will be removed and the existing garage and breezeway will come down. Board Member DeLeo said that he liked that the garage was moved forward. Vice Chair Fry liked the utilization of the existing space on the second floor and how the laundry room is tucked in the space by the side yard setback. He said there is no other place to move the laundry room and reduce the side yard setback. Board Member Borst said he would like three (3) shade trees installed in the front yard at 3" caliber. Board Member Yudin asked that a revised plan be submitted showing the air conditioning units in the rear yard with screening. Vice Chair Fry recommended the utilities be placed underground and noted on the revised site plans.

OPEN TO THE PUBLIC

No one appeared.

CLOSED TO THE PUBLIC

Board Member Kalpagian made a motion to approve this application subject to the following conditions: 3 – 3" caliber shade trees will be planted in the front yard, the air conditioning units with screening and underground utilities be placed on the revised site plan. Second, Board Member DeLeo. Voting in favor: Mr. DeLeo, Mr. Kalpagian, Mr. Hubert, Ms. Yudin, Mr. Borst, Mr. Fry and Chair Ruebenacker.

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There being no further business, a motion to adjourn the meeting was made and seconded and passed unanimously. The meeting concluded at 9:34 p.m.

Respectfully Submitted,

Susan McQuaid, Secretary  
Wyckoff Board of Adjustment.